



STATE OF NEW JERSEY
DEPARTMENT OF PERSONNEL

Merit System Board

**MINUTES OF REGULAR MEETING OF
THE MERIT SYSTEM BOARD
NOVEMBER 17, 2004**

**Margaret E.L. Howard, Presiding
Flavella Branham
Robert J. Long**

NOVEMBER 17, 2004

A regular meeting of the Merit System Board was held on Wednesday, November 17, 2004, in Trenton, New Jersey.

PRESENT: Presiding Board Member Margaret E.L. Howard, Merit System Board Members, Flavella Branham, and Robert J. Long, Pamela Ullman, Deputy Attorney General; and Henry Maurer, Director, Division of Merit System Practices and Labor Relations.

In accordance with L.1975, c.231, Presiding Board Member Margaret E.L. Howard opened the meeting with the following statement:

Notice of this meeting was filed with the Secretary of State and sent to the Trentonian, Trenton Times, Courier-Post and Star Ledger on December 11, 2003, and posted at the Department of Personnel, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

STATE

The Merit System Board recorded the recommended changes in the State Classification Plan, copies of which are attached hereto and made a part hereof.

DATE: October 29, 2004

TO: Marjorie A. Schwartz, Acting Commissioner
Department of Personnel

FROM: Elizabeth Van Marter, Director
Classification Management

SUBJECT: Change in the State Classification Plan

DEPARTMENT OF BANKING AND INSURANCE

The Department of Banking and Insurance requests an upward salary re-evaluation for the Market Conduct Examiner series. The Department contends that the complexity of this function has increased since the unit was initially established, as a result of a merger of two distinct units, and the increased complexity of the types of examinations conducted. Specifically, there is a change in statistical knowledge required.

The Department agrees to amend the education requirement to include specific credits related to this field. The addition of specific credits impacts the Hay evaluation. The Department seeks a one-range salary increase.

CHANGE IN SALARY EVALUATION

Effective: 12/13/04

FROM:

Market Conduct Examiner 1
R27-55244 Competitive X NL/12

Market Conduct Examiner 2
P24-55243 Competitive X NL/12

Market Conduct Examiner 3
P21-55240 Competitive X NE/12

Market Conduct Examiner 4
P18-55238 Competitive X NE/12

TO:

Market Conduct Examiner 1
R28-55244 Competitive X NL/12

Market Conduct Examiner 2
P25-55243 Competitive X NL/12

Market Conduct Examiner 3
P22-55240 Competitive X NE/12

Market Conduct Examiner 4
P19-55238 Competitive X NE/12

CONFIDENTIAL APPOINTMENTS

The Merit System Board recorded the following Confidential Appointments under N.J.S.A. 11A:3-4(h):

Edward Cotterell appointed as a Confidential Secretary, Department of the Treasury, effective September 18, 2004, salary of \$87,500.00 per annum.

Sarah K. Lane appointed as a Confidential Assistant, Department of Environmental Protection, effective October 16, 2004, salary of \$60,000.00 per annum.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

William Bright, Senior Maintenance Repairer, Department of Engineering, City of Newark, resignation not in good standing.

Andrew Coe, Sanitation Driver, Department of Public Works, Township of Parsippany, removal and resignation not in good standing.

Jon Holmes, Police Officer, Police Department, Township of Holmdel, suspension.

Waddell Jefferson, Occupational Safety Consultant 2, Department of Labor, release at the end of the working test period.

Roy Ross, Park Attendant, Department of Public Resources, County of Hudson, suspension.

Karen Rouse, Institutional Attendant, Preakness Hospital, County of Passaic, suspension.

Julie Tesauero, Senior Payroll Clerk, Preakness Hospital, County of Passaic, good faith layoff.

DISMISSAL OF APPEALS – FAILURE TO APPEAR

The Merit System Board dismissed the following cases without prejudice for failure to appear at the scheduled hearing before the Office of Administrative Law:

Brenda Bundy, Assistant Youth Opportunity Coordinator, Department of Health and Human Services, City of Elizabeth, release at the end of the working test period.

Jessica Cameron, Human Services Assistant, New Lisbon Developmental Center, Department of Human Services, release at the end of the working test period.

Anthony Fiumefreddo, Police Officer, Police Department, City of Newark, removal.

Evelyn Gonzalez, Custodial Worker, Newark School District, suspension.

Mary Hall, Youth Worker Supervisor, Juvenile Justice Commission, removal and resignation not in good standing.

Sylvester Hart, Juvenile Detention Officer, Department of Citizen Services, County of Essex, removal.

Judy Navedo, Family Service Specialist 2, Division of Youth and Family Services, Department of Human Services, removal.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Bruce Bland
Ancora Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Bruce Bland
Ancora Psychiatric Hospital
Department of Human Services
Suspension

In the Matter of Rattan Gupta
New Lisbon Developmental Center
Department of Human Services
Suspension

In the Matter of Mary Kennedy
Township of Holmdel
Department of Public Safety
Release at the end of the working test period

In the Matter of Deborah Simmons
Township of Hillside
Police Department
Suspension

In the Matter of Cynthia Wojy Trowbridge
County of Morris
Finance Department
Demotion

In the Matter of Christopher Vogel
Hunterdon Developmental Center
Department of Human Services
Removal

In the Matter of Jacqueline Watson
Atlantic City Housing Authority
Suspension and Removal

RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE IN THE ABOVE CASES – SETTLEMENT

ACTION: The Merit System Board acknowledged the settlements.

A2 JOHN LIPSCOMB

John Lipscomb, Senior Building Maintenance Worker, William Paterson College, ten-day suspension on charges of chronic or excessive absenteeism or lateness and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the ten-day suspension to a seven-day suspension.

ACTION: The Merit System Board affirmed the recommendation of the Administrative Law Judge.

A-3 KASSIEM ROBINSON

Kassiem Robinson, County Correction Officer, County of Burlington, County Jail, 12-day suspension on charges of insubordination and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the 12-day suspension.

ACTION: The Merit System Board modified the recommendation of the Administrative Law Judge to an official written reprimand.

A-4 SHOMARI HARRINGTON

Shomari Harrington, Youth Worker, Juvenile Justice Commission, Department of Law and Public Safety, removal and resignation not in good standing effective July 20, 2002, on charges of chronic or excessive absenteeism or lateness, failure to follow sick leave procedures and being absent from duty for five or more consecutive business days without approval.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION: The Merit System Board affirmed the recommendation of the Administrative Law Judge to uphold the removal. The Board also upheld the resignation not in good standing.

A-5 TAMMY HERRMANN

Tammy Herrmann, Family Service Specialist Trainee, Division of Youth and Family Services, Department of Human Services, removal effective October 24, 2001, on the charge of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION: The Merit System Board affirmed the recommendation of the Administrative Law Judge.

A-6 ESTATE OF HUGH BELL

The estate of Hugh Bell, a former Senior Mechanic, County of Hudson, Department of Public Resources, appeals his removal effective June 29, 1999, on charges of conduct unbecoming a public employee, unauthorized removal of County property, misuse of public property including motor vehicles and insubordination.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION: The Merit System Board modified the recommendation of the Administrative Law Judge to a six-month suspension.

A-7 FRANCIS GALLAGHER, ET AL., POLICE SERGEANT (PM2516C), ELIZABETH

Francis Gallagher, Robert Keily, Todd Kelly, Robert Brennan, John DeMarco, Paulo Santos, Jim Burns, Richard Meola and Jordan Alexiou, (appellants) represented by Joseph S. Murphy, Esq., contend that Joseph Wright (intervener) had knowledge of test content prior to taking the examination for Police Sergeant (PM2516C), Elizabeth.

Recommendation of the Administrative Law Judge – All officers be given the opportunity to retake the exam at the next cycle and the results of the Police Sergeant (PM2516C), Elizabeth exam be disregarded.

ACTION: The Merit System Board modified the recommendation of the Administrative Law Judge to let stand the results of Francis Gallagher, et al., void the results of Joseph Wright, but afford Mr. Wright the opportunity to take the make up examination for symbol PM2517F, that was announced with a closing date of June 21, 2004 and administered on September 30, 2004.

A-8 JUANA ROGERS

Juana Rogers, Head Cook I, Garden State Reception and Youth Facility, Department of Corrections, removal effective June 19, 2002, on charges of conduct unbecoming a public employee, improper or unauthorized contact with inmate, undue familiarity with inmates, parolees, their families or friends and violation of a rule, regulation, policy, procedure, order or administrative decision.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION: The Merit System Board modified the recommendation of the Administrative Law Judge to a six-month suspension.

VOTE:	Margaret E. L. Howard	(Yes)
	Flavella Branhan	(No)
	Robert J. Long	(Yes)

SECTION B – MISCELLANEOUS MATTERS**B-1 BRIAN P. KLEMAN**

Brian P. Kleman, represented by David B. Beckett, Esq., appeals his rejection as a Fire Fighter candidate by the City of Jersey City and its request to remove his name from the eligible list for Fire Fighter (M2054A) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Merit System Board directed that this appeal be denied.

B-2 MATTHEW C. LOWENWIRTH

Matthew C. Lowenwirth appeals his rejection as a Sheriff's Officer candidate by the County of Hudson and its request to remove his name from the eligible list for Sheriff's Officer (S9999D) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Merit System Board directed that this appeal be denied.

B-3 ROBIN PEARCE

Robin Pearce, represented by Daniel Zirrit, Esq. appeals her rejection as a Police Officer candidate by the Township of Irvington and its request to remove her name from the eligible list for Police Officer (S9999D) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Merit System Board directed that this matter be referred for independent psychological evaluation.

B-4 JAZMIN L. ROMERO

Jazmin L. Romero appeals her rejection as a Police Officer candidate by the City of East Orange and its request to remove her name from the eligible list for Police Officer (S9999B) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Merit System Board directed that this appeal be denied.

B-5 MILAGROS GREEN

Milagros Green appeals her rejection as a Police Officer by the City of Hoboken and its request to remove her name from the eligible list for Police Officer (S9999D) on the basis of medical unfitness to perform effectively the duties of the position.

ACTION: The Merit System Board directed that this appeal be granted.

B-6 MARTHA HICKS

Martha Hicks, a Senior Correction Officer with the Department of Corrections, represented by Henry J. Cistrelli, Esq., appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Merit System Board directed that this appeal be granted.

B-7 NANCY IANNINI

Nancy Iannini, an Official Court Reporter, Level 2 with the Administrative Office of the Courts, appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Merit System Board directed that this appeal be denied.

B-8 MICHAEL WOMACK

Michael Womack, a Senior Correction Officer at New Jersey State Prison, Department of Corrections, represented by Henry J. Cistrelli, Esq., appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Merit System Board directed that this appeal be granted.

B-9 LAURA ZEBLEY

Laura Zebley, a Program Coordinator, Mental Health with Ancora Psychiatric Hospital, Department of Human Services, appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Merit System Board directed that this appeal be granted.

B-10 DAVID ARCE

David Arce appeals the decision of Human Resource Information Services, which found that the Department of Corrections had presented a sufficient basis to remove his name from the Correction Officer Recruit (S9999D), Department of Corrections eligible list, due to an unsatisfactory criminal record.

ACTION: The Merit System Board directed that this appeal be granted.

B-11 CARLA GARDNER

Carla Gardner appeals the decision of Human Resource Information Services, which upheld the removal of her name from the Parole Officer Recruit, Juvenile Justice (PS5461P), Juvenile Justice Commission, eligible list, based on an unsatisfactory background report and falsification of her employment application.

ACTION: The Merit System Board directed that this appeal be denied.

B-12 JOHN HARLEY

John Harley appeals the decision of Human Resource Information Services, which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Sheriff's Officer (S9999D), County of Burlington, on the basis of making false statements of material fact on his preemployment application.

ACTION: The Merit System Board directed that this appeal be denied.

B-13 REGULATORY OFFICER 4 (S9246F), STATEWIDE

The Department of Transportation requests permission not to make an appointment from the certification for Regulatory Officer 4 (S9246F), Statewide.

ACTION: The Merit System Board granted the request for appointment waiver and directed that selection costs be deferred.

B-14 MABLE WILLIAMS

Mable Williams, an Assistant Supervisor of Professional and Residential Services, Developmental Disabilities, with the North Jersey Developmental Center, Department of Human Services (DHS), appeals the determination of the Assistant Commissioner for Human Resources with the DHS, stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination, Harassment, or Hostile Environments in the Workplace.

ACTION: The Merit System Board directed that this appeal be denied.

B-15 RICHARD DEBENEDETTO

Richard DeBenedetto, a Senior Sanitary Inspector with the Township of Middletown, requests that he be provided with the maximum salary in his range.

ACTION: The Merit System Board granted the request.

B-16 EUGENE ASKIN

Eugene Askin appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the promotional examination for Senior Repairer (PS2383T), Department of Transportation.

ACTION: The Merit System Board directed that this appeal be granted.

B-17 SHARII BATTLE

Sharii Battle appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the open competitive examination for Clinical Psychologist (C6185F) Monmouth County.

ACTION: The Merit System Board directed that this appeal be granted.

B-18 DIANA BEGLEY

Diana Begley appeals the determination of the Division of Selection Services that she did not meet the experience requirement for the open competitive examination for Legal Secretary 2 (S0332F), Statewide.

ACTION: The Merit System Board directed that this appeal be granted.

B-19 ADAM BELINA AND ADAM MCCOUL

Adam Belina and Adam McCoul appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirements for the open competitive examination for Automotive Mechanic (S0243E).

ACTION: The Merit System Board directed that these appeals be denied.

B-20 LORRAINE BUCK

Lorraine Buck appeals the determination of the Division of Selection Services that she did not meet the experience requirement for the examination for Youth Activities Supervisor (C6090E), Bergen County.

ACTION: The Merit System Board directed that this appeal be denied but referred the matter of the classification of her position to the Division of Human Resource Management.

B-21 BRENDA BETHUNE-LONG

Brenda Bethune-Long appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the open competitive examination for Therapy Program Assistant (S0215E).

ACTION: The Merit System Board directed that this appeal be denied.

B-22 DELORES CHINNI

Delores Chinni appeals the determination of the Division of Selection Services which found that she did not meet the experience requirement for the open competitive examination for Field Representative, Senior Citizens Program (C0700F), Monmouth County.

ACTION: The Merit System Board directed that this appeal be denied.

B-23 JAMES COREJ

James Corej appeals the determination of the Division of Selection Services which found that he did not meet the education and experience requirements for the open competitive examination for Program Development Specialist 1 (C0690F), Middlesex County.

ACTION: The Merit System Board directed that this appeal be denied.

B-24 JOSEPH DEBRONZO

Joseph DeBronzo appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the open competitive examination for Construction Official (S9221E).

ACTION: The Merit System Board directed that this appeal be denied.

B-25 JOANN T. DE LAY AND RITA L. EDWARDS

JoAnn T. De Lay and Rita L. Edwards appeal the determination of the Division of Selection Services which found, per the substitution clause for education, that they did not meet the experience requirement for the promotional examination for Technical Assistant, Contract Administration (PS0551H), Department of Health and Senior Services.

ACTION: The Merit System Board directed that these appeals be granted.

B-26 JAMES F. DESCHLER

James F. Deschler appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Mechanic, Non-Automotive (PS0592J), Rowan University.

ACTION: The Merit System Board directed that this appeal be granted.

B-27 SUSAN DILL

Susan Dill appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Administrative Analyst 2 (Accounting) (PS9436H), Department of Health and Senior Services.

ACTION: The Merit System Board directed that this appeal be granted.

B-28 LILLIE EVANS

Lillie Evans appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the examination for Program Development Specialist 1, Medical Assistance and Health Services (PS8573K), Department of Human Services.

ACTION: The Merit System Board directed that this appeal be granted.

B-29 ESSAM FEKRY

Essam Fekry appeals the determination of the Division of Selection Services that he was ineligible for the open competitive examination for Public Health Representative 3 (S0260E), statewide, due to his failure to submit an evaluation of his foreign transcript as required.

ACTION: The Merit System Board directed that this appeal be granted.

B-30 ROBERT FRANKENFIELD

Robert Frankenfield appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the examination for Assistant Social Work Supervisor, Secured Facilities (S0182E).

ACTION: The Merit System Board directed that this appeal be denied.

B-31 DAVID GROVE AND ANN MANCUSO

David Grove and Ann Mancuso appeal the determinations of the Division of Selection Services that found they did not meet the experience requirements for the open competitive examination for Inspector, Road Openings (C0727F), Ocean County.

ACTION: The Merit System Board directed that these appeals be denied.

B-32 JANICE HENRY AND NORMAN STAFFORD

Janice Henry and Norman Stafford appeal the determination of the Division of Selection Services which found that they did not meet the experience requirements for the open competitive examination for Senior Training Technician (S0179E).

ACTION: The Merit System Board directed that these appeals be denied.

B-33 DEBORAH HIGGS

Robin Spaulding-Smith, Director, Human Resources, Department of Health and Senior Services, on behalf of Deborah Higgs, appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, Ms. Higgs was below the minimum requirements in experience for the promotional examination for Personnel Assistant 4 (PS8081H), Department of Health and Senior Services.

ACTION: The Merit System Board directed that this appeal be denied.

B-34 PHYLLIS L. JOHNSON

Phyllis L. Johnson appeals the determination of the Division of Selection Services which found that she did not satisfy the experience requirement for the promotional examination for Nursing Administrator, Psychiatric Services (PS9052K), Department of Human Services.

ACTION: The Merit System Board directed that this appeal be denied.

B-35 CONNIE MARSHALL

Connie Marshall appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Technician, Management Information Systems (PS9746K), Division of Developmental Disabilities.

ACTION: The Merit System Board directed that this appeal be denied.

B-36 SUSAN MCKEOWN

Susan McKeown appeals the determination of the Division of Selection Services that she did not meet the experience requirement for the promotional examination for Project Coordinator, Redevelopment (PM1171E), City of Elizabeth.

ACTION: The Merit System Board directed that this appeal be granted.

B-37 TINA MEHESKI-WYSOCKE

Martin Guhl, Tax Administrator, Mercer County, on behalf of Tina Meheski-Wysocke, appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the promotional examination for Assistant County Tax Administrator (PC1759E), Mercer County.

ACTION: The Merit System Board directed that this appeal be granted.

B-38 ANNIE MINCHIN AND AJIBOLA OKE

Annie Minchin appeals the determination of the Division of Selection Services which found that she did not indicate the required license or registration and was below the minimum requirements in experience for the promotional examination for Quality Assurance Technician (PS1048K), Greystone Park Psychiatric Hospital. Ajibola Oke appeals the determination of the Division of Selection services which found that he was below the minimum requirements in experience for the promotional examination for Quality Assurance Technician (PS1048K), Greystone Park Psychiatric Hospital.

ACTION: The Merit System Board directed that these appeals be denied.

B-39 MARLENE D. MINOR

Marlene D. Minor appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Administrative Secretary (PM1756E), Township of Lakewood.

ACTION: The Merit System Board directed that this appeal be granted.

B-40 MANALI PATANKAR

Manali Patankar appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the experience requirements for the examination for Program Development Specialist 1, Medical Assistance and Health Services (PS8573K), Department of Human Services.

ACTION: The Merit System Board directed that this appeal be denied.

B-41 MARGARET R. OSSONT

Margaret R. Ossont appeals the determination of the Division of Selection Service which found that she did not meet the experience requirements for the promotional examination for Executive Assistant 2 (PS9987I), Garden State Reception and Youth Correctional Facility.

ACTION: The Merit System Board directed that this appeal be denied.

B-42 HELEN RUSSO

Helen Russo appeals the determination of the Division of Selection Services that per the substitution clause for education, she did not meet the experience requirement for the promotional examination for Administrative Assistant 3 (PS9097G), Department of Environmental Protection.

ACTION: The Merit System Board directed that this appeal be granted.

B-43 CHRISTOPHER SIKORSKI

Christopher Sikorski appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, he did not meet the experience requirements for the promotional examination for Assistant District Recycling Coordinator (PC1599E), Middlesex County.

ACTION: The Merit System Board directed that this appeal be denied.

B-44 MARY E. SIROLI

Mary E. Sirolli appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the promotional examination for Supervising Personnel Clerk (PC1923E), Mercer County Board of Social Services.

ACTION: The Merit System Board directed that this appeal be denied.

B-45 NANDALALL SOOKLALL

Nandalall Sooklall appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Assistant Chief Municipal Court Administrator (PM1758E), Jersey City.

ACTION: The Merit System Board directed that this appeal be granted.

B-46 STEPHANIE SZALAY

Stephanie Szalay appeals the determination of the Division of Selection Services which found that she did not meet the experience requirement for the open competitive examination for Counselor, Victim Witness Program (C0542E), Cumberland County.

ACTION: The Merit System Board directed that this appeal be denied.

B-47 CHRISTINE THORNTON

Christine Thornton appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the promotional examination for Quality Assurance Technician (PS1048K), Greystone Park Psychiatric Hospital.

ACTION: The Merit System Board directed that this appeal be granted.

B-48 JOANN TOMARO

JoAnn Tomaro appeals the determination of the Division of Selection Services which found that she did not meet the experience requirement for the promotional examination for Head Audit Account Clerk (PS0567I), Mountainview Correctional Facility.

ACTION: The Merit System Board directed that this appeal be denied.

B-49 LARCENA VANCE

Larcena Vance appeals the determination of the Division of Selection Services that she did not meet the experience requirement for the promotional examination for Coordinator, Secretarial Support Services, Law and Public Safety (PS8701P), Department of Law and Public Safety.

ACTION: The Merit System Board directed that this appeal be granted.

B-50 EDWARD WILENSKI

Edward Wilenski appeals the determination of the Division of Selection Services that he did not meet the requirements for the promotional examination for Administrative Analyst (PS9454I), Department of Corrections.

ACTION: The Merit System Board directed that this appeal be denied.

B-51 THERESA WILSON

Theresa Wilson appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the open competitive examination for Office Services Manager (M0628F), Union Township.

ACTION: The Merit System Board directed that this appeal be denied.

B-52 JACQUELINE WOODS

Jacqueline Woods appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the experience requirements for the examination for Principal Claims Investigator (PC0660E), Atlantic County.

ACTION: The Merit System Board directed that this appeal be granted.

B-53 LOIS BALLURIO

The appointing authority petitions the Merit System Board for reconsideration of the final decision, rendered on February 25, 2004, which upheld the determination that, per the substitution clause for education, Lois Ballurio did not meet the experience requirement for the promotional examination for Volunteer Services Assistant (PS5825E), Department of Military and Veterans Affairs.

ACTION: The Merit System Board granted the request for reconsideration.

B-54 EDWARD CORCORAN

Edward Corcoran appeals his score on the promotional examination for Construction Official (PM1608E), Parsippany Troy Hills.

ACTION: The Merit System Board directed that this appeal be denied.

B-55 GARY GLOMB

Gary Glomb, represented by Richard Thayer, Esq., appeals his score for the oral portion of the examination for the first level Fire Captain (PM3508E), Orange.

ACTION: The Merit System Board directed that this appeal be denied.

B-56 GEORGE HUSTON

George Huston appeals his score for the oral portion of the examination for Fire Lieutenant (PM2515E), Gloucester City.

ACTION: The Merit System Board directed that this appeal be denied.

B-57 JIM MORESCO

Jim Moresco appeals his score for the oral portion of the examination for the first level Fire Captain (PM3508E), Orange.

ACTION: The Merit System Board directed that this appeal be denied.

B-58 JOSEPH MORESCO

Joseph Moresco appeals his score for the oral portion of the examination for the first level Fire Captain (PM3508E), Orange.

ACTION: The Merit System Board directed that this appeal be denied.

B-59 DANIEL PIGONCELLI

Daniel Pigoncelli, represented by Benjamin Benson, Esq., appeals his score for the oral portion for the examination for Fire Lieutenant (PM2509E), Teaneck.

ACTION: The Merit System Board directed that this appeal be denied.

B-60 ALVIN SPEARMAN

Alvin Spearman appeals his score for the oral portion of the examination for the first level Fire Captain (PM3508E), Orange.

ACTION: The Merit System Board directed that this appeal be denied.

B-61 SILVIA MARINUCCI

The Department of Environmental Protection requests, on behalf of Silvia Marinucci, the acceptance of out-of-title work in connection with her experience as a Secretarial Assistant 1 in order to be admitted to the promotional examination for Administrative Analyst 3 (P6069G), Department of Environmental Protection.

ACTION: The Merit System Board granted the request.

B-62 THERESA PAGODIN

The Human Resources Director, Department of Environmental Protection, requests that Theresa Pagodin's out-of-title work be accepted to qualify her for the promotional examination for Executive Assistant 2 (PS5970G), Department of Environmental Protection.

ACTION: The Merit System Board granted the request.

B-63 TIMOTHY CROWLEY

Timothy Crowley appeals the administration of the make-up examination for Police Sergeant (PM2527D), Jersey City.

ACTION: The Merit System Board directed that this appeal be denied.

B-64 FATEN ISAAC

Faten Isaac appeals the test administration, test duration, and test content of the promotional examination for Training Technician (PC1677C), Hudson County.

ACTION: The Merit System Board directed that this appeal be denied.

B-65 DENISE A. CHIARLANZA AND GWEN M. WOFFORD

Denise A. Chiarlanza and Gwen M. Wofford appeal the validity of specific questions on the promotional examination for Human Resource Consultant 3 (PS9603C), Department of Personnel.

ACTION: The Merit System Board directed that these appeals be denied.

B-66 KEITH ARROYO AND KENNETH MULLARNEY

Keith Arroyo and Kenneth Mullarney appeal the determinations of the Division of Selection Services which found that appellants filed their applications after the announced filing deadline for the promotional examination for Fire Captain.

ACTION: The Merit System Board directed that these appeals be denied.

B-67 THOMAS MCNAUGHTON

The Division of Human Resource Management request that the Merit System Board order Pemberton Township to comply with the classification review of Thomas McNaughton's position.

ACTION: The Merit System Board granted the request and directed that Pemberton Township be fined \$1,000.

B-68 JOSEPH NARDONE

Joseph Nardone appeals the lack of notification for the promotional examination for Storekeeper 2 (PS1320K), Commission for the Blind and Visually Impaired, Department of Human Services.

ACTION: The Merit System Board directed that this appeal be denied.

B-69 MERIT SYSTEM BOARD MINUTES

The Merit System Board minutes of its meeting on November 4, 2004 are submitted for adoption.

ACTION: The Merit System Board directed that this matter be held over.

B-70 DAVID CONTE

David Conte appeals the determination of the Division of Selection Services which denied him admittance to the promotional examination for Fire Lieutenant (PM2631F), Clifton. This matter was held over from the Board's November 4, 2004 meeting.

ACTION: The Merit System Board directed that this appeal be denied.

B-71 EARLY SETTLEMENTS

Edward Burnette
Albert C. Wagner Youth Correctional Facility
Department of Corrections
Suspension

John Grace
Department of Labor
Release at the end of the working test period

Kimyatta M. Waldon
Department of Labor
Return for formerly held permanent title at the end of the working test period

ACTION: The Merit System Board acknowledged the settlements.

There being no further business before the Merit System Board, the meeting was adjourned to convene on Wednesday, December 1, 2004 at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

**MARGARET E. L. HOWARD
PRESIDING
MERIT SYSTEM BOARD**